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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,480	07/15/2003	Michael D. Hareng	CS10987/10-154	2429
51874	7590	01/17/2006	EXAMINER	
LAW OFFICES OF CHARLES W. BETHARDS, LLP P.O. BOX 1622 COLLEYVILLE, TX 76034			NGUYEN, TU X	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/621,480	HARENG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tu X. Nguyen	2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/15/03</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 8 and 16, are rejected under 35 U.S.C. 102(b) as being anticipated by Eichstaedt et al. (US Patent 6,218,958).

Regarding claims 1 and 16, Eichstaedt et al. disclose an accessory unit for alerting a user of an incoming call received by an associated wireless communication device, the accessory unit comprising:

a coupler (46, fig.3) configured to couple the accessory unit to a wristwatch (44, fig.3);

a wireless communication circuit (see fig.2) configured to wirelessly receive information from the wireless communication device (see col.3 lines 60-61) ; and

an alerting device (12, fig.1) configured to signal (see col.1 lines 35-45, col.2 lines 14-17) the user when a call is received by the wireless communication device (22, fig.1).

Regarding claim 8, Eichstaedt et al. disclose an incoming call alert system comprising: a wireless communication device, wherein the wireless communication device includes a primary wireless communication circuit and a secondary wireless communication circuit; and an accessory unit configured to alert a user of an incoming call at the primary wireless communication circuit of the wireless communication device, wherein the accessory unit includes: a coupler configured to couple the accessory unit to a wristwatch; a wireless

communication circuit wirelessly coupled to the secondary wireless communication circuit of the wireless communication device; and an alerting device configured to signal a user when a call is being received by the primary wireless communication circuit of the wireless communication device (see fig.1-3).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 6, 9-10, 13, 15 and 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al. in view of Valade et al. (US Pub. 2002/0168990).

Regarding claims 2 and 9, Eichstaedt et al. fail to disclose the display permits the user to see the face of the wristwatch.

Valade et al. disclose the display permits the user to see the face of the wristwatch (see par.020). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eichstaedt with the above teaching of Valde et al. in order to provide visual notification message to the user.

Regarding claims 3 and 10, the modified Eichstaedt discloses the display is generally planar, and the display covers and is generally parallel to the face of the wristwatch when the accessory unit is coupled to the wristwatch (see Eichstaedt, fig.3).

Regarding claims 6, 13, 15 and 18, Eichstaedt et al. fail to disclose identify the source of the call.

Valade et al. disclose identify the source of the call (see par.024, 043, 045, 056).

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eichstaedt with the above teaching of Valade et al. in order to provide alerts the user the telephone call type by indicating the activity context.

5. Claims 4 and 11, are rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al. in view of valade et al. (US Pub. 2002/0168990) and further in view of Deo et al. (US Patent 5,973,612).

Regarding claims 4 and 11, the modified Eichstaedt fails to disclose the display is a liquid crystal display.

Deo et al. disclose the display is a liquid crystal display (see col.1 lines 35-40). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the modified Eichstaedt with the above teaching of Deo et al. in order to provide plurality lines for characters display.

6. Claims 5, 12 and 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al. in view of in view of Deo et al. (US Patent 5,973,612).

Regarding claims 5, 12 and 19, Eichstaedt fails to disclose the alerting device includes a speaker

Deo et al. disclose the alerting device includes a speaker (see fig.3). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eichstaedt with the above teaching of Deo et al. in order to provide audible alert.

7. Claims 7 and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al. in view of in view of Lyon (US Pub. 2003/0103414).

Regarding claims 7 and 14, Eichstaedt fails to disclose the accessory unit includes a printed circuit board.

Lyon discloses the accessory unit includes a printed circuit board (see par.046). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eichstaedt with the above teaching of Lyon in order to provide a plastic circuit board for interconnect electronic components together.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eichstaedt et al. in view of Kanesaka et al. (US Pub. 6,825,830).

Regarding claim 20, Eichstaedt et al. fail to disclose a user can read the time from the wristwatch when the accessory unit is coupled to the wristwatch.

Kanesaka et al. disclose a user can read the time from the wristwatch when the accessory unit is coupled to the wristwatch (see fig.4). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eichstaedt with the above teaching of Kanesaka in order to provide time awareness and other functions of wireless communications.

Art Unit: 2684

### Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is 571-272-7883. The examiner can normally be reached on Monday through Friday from 8:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

### Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TN  
12/29/05

EDAN ORGAD  
PATENT EXAMINER/TELECOMM.

L.O. 1/5/06